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13 *Attorneys for Defendants, Edwin Yoshihiro Fujinaga,*
14 *MRI International, Inc., CSA Service Center LLC*
and The Factoring Co.

15
16 **UNITED STATES DISTRICT COURT**
17 **DISTRICT OF NEVADA**

18 SECURITIES AND EXCHANGE
COMMISSION,

19 Plaintiff,

20 v.
21

22 EDWIN YOSHIHIRO FUJINAGA, et al.,

23 Defendants.
24

Case No.: 2:13-cv-1658-JCM-CWH

**DEFENDANTS' MOTION FOR
ENLARGEMENT OF TIME WITHIN
WHICH TO PRESENT NEW
EVIDENCE**

25 NOW COME Attorneys William T. Jorden and Matthew B. Jorden of the Jorden and
26 White Law Firm and present this Motion for Enlargement of Time Within Which to Present
27 New Evidence, a statement of which is as follows:
28

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- 1 1. On April 1, 2015, Attorneys William T. Jorden and Matthew B. Jorden of the Jorden
2 and White Law Firm were engaged by Edwin Fujinaga to replace his existing
3 attorneys and to represent him and MRI International, Inc. and Relief Defendants,
4 CSA Service Center, LLC and the Factoring Company in the above-captioned matter.
5 During the past fourteen (14) days, attorney Erick Ferran has transferred to the Jorden
6 and White Law Firm thousands of pages of financial data and corporate records
7 regarding the Defendants and their business affairs.
- 8 2. Certificates of Good Standing were immediately requested in order for attorneys
9 William T. Jorden and Matthew B. Jorden to enter their appearance. The last of those
10 certificates was received as recently as two days ago on Monday, April 13.
- 11 3. On Tuesday, April 14, attorney Larson Welsh was engaged to present a Motion Pro
12 Hac Vice on behalf of attorneys William T. Jorden and Matthew B. Jorden.
- 13 4. After attorneys William Jorden and Matthew Jorden were retained to replace attorney
14 Ferran as agreed, attorney Ferran contacted attorneys for the Plaintiff and requested
15 an extension of time to file a responsive pleading. By Stipulation, an extension was
16 granted until Wednesday, April 15, 2015.
- 17 5. On April 13, 2015, attorney William Jorden spoke to Plaintiff's attorney and
18 requested an additional fourteen (14) days extension insofar as Certificates of Good
19 Standing had yet to be received, a Motion Pro Hac Vice had yet to be presented to the
20 Court and that as a consequence, appearances may not be entered before the due date
21 of the Defendants' responsive brief. In addition, Defendants' new counsel have been
22 deluged with thousands of pages of documents rendering it difficult, if not
23 impossible, but evidence has already been presented that may be relevant to the issue
24 now before the Court or what new evidence exists that would be relevant to this issue.
25 The Plaintiff's attorneys while seeming sympathetic to the reasonableness of the
26 request, nevertheless referencing to the handling of this case in the past and a desire
27 to secure a final judgment as soon as possible declined to stipulate to the Defendants'
28 request for additional time.

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2 6. A Motion Pro Hac Vice was filed on behalf of attorneys William T. Jorden and
3 Matthew B. Jorden by attorney Larson Welsh on April 15, 2015. The Court has yet
4 to rule on this Motion.

5 7. On even date with this Motion, attorneys William T. Jorden and Matthew B. Jorden
6 have entered their appearance in the above-captioned matter.

7 8. Upon filing their appearance, attorneys William T. Jorden and Matthew B. Jorden
8 have filed a timely response to the SEC's brief in opposition to a Motion for
9 Reconsideration.

10 9. It has been learned that quite some time ago, the Defendants did engage a forensic
11 accountant who remains engaged by the Defendants has been auditing various aspects
12 of the Defendants' businesses. It is understood and believed that the forensic
13 accountant is waiting for certain source documents that have not previously been
14 made available to the Defendants. The source documents and possibly other
15 documents and the conclusions to be drawn from them by the forensic accountant
16 would be considered new evidence that may affect this Court's ruling.

17 10. Insofar as Defendants' counsel has only entered their appearance in this case today
18 and that there is a high probability there does exist new evidence that may have an
19 impact on various issues presented in this case, including the disgorgement issue, a
20 fourteen (14) day extension of time is requested in order for the Defendants to present
21 to the Court any new evidence that may exist not previously presented or considered
22 by the Court.

23 WHEREFORE, it is respectfully requested that the Court grant the Defendants a
24 period of fourteen (14) days from the date of this Motion or until April 29, 2015 to present to

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1 the Court any new evidence that exists concerning the issue of disgorgement.

2 Dated this 15th day of April, 2015.

3 JORDEN & WHITE LAW FIRM

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13 INTERNATIONAL, INC.; CSA SERVICE
14 CENTER LLC and THE FACTORING CO.

15 **CERTIFICATE OF SERVICE**

16 I hereby certify that on April 15, 2015 I electronically filed the foregoing with the
17 Court using the CM/ECF system, which will send notification of such filing to counsel of
18 record for all parties who have appeared in this action.
19

20
21 /s/Larson A. Welsh
22 An attorney for Defendants, EDWIN
YOSHIHIRO FUJINAGA; MRI
23 INTERNATIONAL, INC.; CSA SERVICE
24 CENTER LLC and THE FACTORING CO.
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